

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>LINCOLN PROVISION, INC.,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>8:10CV344</b>
	)	
<b>V.</b>	)	
	)	
<b>ARON PURETZ, PMP, LLC, and HASTINGS ACQUISITION, LLC, nominal defendant,</b>	)	<b>ORDER</b>
	)	
<b>Defendants.</b>	)	
	)	

This matter is before the court on Plaintiff Lincoln Provision's Motion for (1) Enlargement of Time to Respond to Defendants' Motions to Dismiss, (2) Order Compelling Aron Poretz's Deposition in Omaha, NE and (3) Leave to Amend Complaint if Necessary Following Discovery ([filing 77](#)). For the reasons discussed during the telephone conference with the parties' counsel on today's date, Plaintiff's Motion will be granted, in part.

Accordingly,

**IT IS ORDERED:**

1. Plaintiff Lincoln Provision's Motion for (1) Enlargement of Time to Respond to Defendants' Motions to Dismiss, (2) Order Compelling Aron Poretz's Deposition in Omaha, NE and (3) Leave to Amend Complaint if Necessary Following Discovery ([filing 77](#)) is granted, in part.
2. Plaintiff's request that the court compel Aron Poretz's deposition is granted. Mr. Poretz shall present for deposition on a date to be established by the parties. Said deposition shall be conducted by video or, alternatively, in New York.

3. The pending motions to dismiss (filings [69](#) & [73](#)) shall be held in abeyance pending Aron Puretz's deposition. Plaintiff shall respond to the motions to dismiss within fourteen days of the completion of Aron Puretz's deposition.
4. In all other respects, Plaintiff's Motion is denied.

**DATED January 24, 2012.**

**BY THE COURT:**

**S/ F.A. Gossett  
United States Magistrate Judge**